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Attorney Docket No. 37167-8040.US01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Johnson *et al.*

SERIAL No.: 09/916,235

FILED: July 25, 2001

FOR: **METHOD FOR DETECTING AND TREATING TUMORS
USING LOCALIZED IMPEDANCE**

EXAMINER: Vrettakos

ART UNIT: 3739

CONFIRMATION No.: 6858

Statement by Stephen J. Williams

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUN 23 2003

TECHNOLOGY CENTER R3700

Sir:

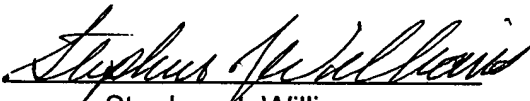
1. I currently hold the position of Chief Operating Officer (COO) at Rita Medical Systems, Inc., and have been employed at Rita Medical Systems since July 2002. In my capacity as COO, I oversee the patent department.

2. It is my understanding that the above-identified application has been abandoned for failure to respond to an Office action allegedly mailed from the United States Patent and Trademark Office (USPTO) to Rita Medical Systems.

3. It is the standard policy of Rita Medical Systems to forward all mail received from the United States Patent and Trademark Office (USPTO) to our representative, Jacqueline F. Mahoney at Perkins Coie LLP. It is my understanding that Perkins Coie LLP maintains a log of Office actions received, docketed accordingly, and maintains the original correspondence in a file jacket.

4. I, Stephen J. Williams, declare and affirm the Office action apparently mailed

on September 11, 2002 was not received by Rita Medical Systems. I further attest I have made a thorough search of our file jacket and that there was no indication that the Office action apparently mailed September 11, 2002 was received.



Stephen J. Williams